

## REMARKS

### Claim Status

Claims 1, 3-6, 8, 9, 11-15 and 17-18 have been amended for formality reasons that are not related to patentability.

Claim 19 has been added. Support for this new claim is generally found throughout the specification as filed and in original claim 13.

Pursuant to 37 C.F.R. §1.118(a), Applicants respectfully submit that the above amendments do not introduce any new material into the application. With these amendments, there are 19 claims pending, namely claims 1-19.

### Restriction Requirement

In this Office Action, the Examiner requests that a single disclosed species be elected for prosecution on the merits to which the claims shall be restricted. In response, Applicants elect the species of an acid selected from formic acid, acetic acid and mixtures thereof which the system is substantially free of (subject matter of claim 6) and heat-treated saponin (subject matter of claims 5, 8 and 14) for further prosecution.

It is believed that the present election of species is made merely for the purpose of giving the Examiner a starting point for examination and that any amendments to cancel the non-elected species are not necessary at this stage of the prosecution in accordance with MPEP 809.02(a), since no final decision has been made on the allowability of the generic claim(s). The claims that are readable upon the presently elected species are claims 1-19.

\*\*\*\*\*

This document is being filed timely and no fee is believed to be due. However, should any fees be required for any reason, the Commissioner is authorized to deduct said fees from Howrey Deposit Account No. 08-3038/12642.0066.NPUS01.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. Wendy Davis", with a stylized flourish at the end.

J. Wendy Davis, Ph.D.  
Reg. No. 46,393

Agent for Assignee  
STRECK LABORATORIES, INC.

Customer No. 23369

HOWREY LLP  
1111 Louisiana, 25<sup>th</sup> floor  
Houston, TX 77002  
(713) 787-1512 (Direct)

Date: April 13, 2006